STORM EVENTS

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Promoting Responsible Storm Water Management Practices throughout the Idaho Transportation Department

Tamarack Resort Fined

BOISE, Idaho - The Tamarack Resort, located 100 miles north of Boise, has agreed to pay a $185,000 penalty to the federal government to resolve breaches of the Clean Water Act arising from storm water violations discovered on the resort's property in 2005 and 2006.

The government's complaint alleges that numerous storm water violations occurred at the resort's 800 acre construction site, near the shore of Cascade Lake in Idaho's West Mountains.

In addition to inspections by the Idaho Department of Environmental Quality, EPA inspectors visited Tamarack three times over the past two years - on April 21, 2005; October 13, 2005; and April 20, 2006. Violations of the Construction Storm Water General Permit were found at all of the inspections.

"We expect all industries to comply with the Clean Water Act," said Ronald Tenpas, assistant attorney general for the Justice Department's Environment and Natural Resources Division. "This settlement will ensure that future construction at this site will comply with applicable federal laws."

Elin Miller, EPA Regional Administrator in Seattle, Washington, says this was a case where a developer made a serious mistake and harmed the environment.

"It's critically important that all land developers, like Tamarack Resort, pay close attention to storm water management during construction," said Miller.

"If too large a land area is opened up at one time," she said, "construction runoff is uncontrollable and nearby streams and lakes can be damaged."

Violations documented at the site included failure to obtain timely coverage under the EPA storm water Construction General Permit; discharging concrete truck wash water to a wetland; discharging turbid water to nearby creeks and Cascade lake; failure to maintain best management practices properly and failure to update the storm water pollution prevention plan.

Under the terms of the agreement with the federal government, Tamarack Resort has 30 days after entry of the decree to remit the penalty to the U.S. Treasury. The consent decree will be subject to a 30-day public comment period and subsequent judicial approval and is available on the Justice Department website at:

http://www.usdoj.gov/enrd/Consent_Decrees.html

Revenge of the Rills!

No, “Revenge of the Rills” is not one of Hollywood’s latest horror movie titles. However, rill erosion can be a serious issue on construction sites. Management of rill erosion is critical to reducing the potential for sediment to leave an active construction site. Remember the basics of how rill erosion occurs and means to control it:

Rill Erosion Occurs When:

- As runoff moves down a slope, it cuts small paths or rills
- Water flowing through these paths detaches more soil from their sides and bottoms
- Rate of rill erosion can be approximately 100X > sheet erosion

Controlling Rill Erosion:

- Preserve natural vegetation where possible
- Mulch/vegetate exposed areas immediately after grading to allow infiltration
- Use practices that shorten or “break” the slopes to reduce flow volumes/velocities
- Schedule and limit grading activities to minimize bare soil areas and time of exposure

Test Your Storm Water Management I.Q.:

1. True or False: The three steps in developing an effective storm water management plan are diversion, mitigation and elimination.
2. True or False: ITD limits the amount of a project’s disturbed area at any one time to 5 acres.
3. Per the Consent Decree, within how many days should a follow-up Third Party Inspection take place if significant deficiencies are found during an initial Third Party Inspection?
4. Per ITD specifications, how many days can a stockpile be left inactive before it is required to be stabilized unless otherwise approved in writing?

BMP of the Quarter

Preserving vegetation often requires setting specific limits on clearing and grubbing activities

BMP-2.3 PRESERVATION OF EXISTING/NATURAL VEGETATION

Refer to: ITD Standard Specifications, Section 201.

Description

The key component to long-term permanent erosion control on roadsides is a diversified stand of well-established perennial vegetation. To achieve this objective, existing vegetation should be preserved and left undisturbed as much as possible. Established vegetated areas provide buffer strips, stabilize ground surfaces and slopes, reduce surface runoff and filter storm water runoff, as well as protect water quality and aesthetics. Preservation of existing/natural vegetation (grass, forbs, shrubs, and trees) should be considered on all projects with ground disturbing activities. The easiest and most cost-effective way to preserve vegetation is to retain well-established vegetation. Specific vegetated areas may be set aside between clearing limits and right of way. If removal of vegetation is not necessary beyond the grading area (Section 201), then existing vegetation shall be left undisturbed.

Applications

Vegetated areas within the grading area shall be retained whenever possible. Preserving vegetation can be beneficial for: flood plains, roadside ditches and channels, wetlands, stream banks, steep slopes, staging areas, and other special areas where erosion control is critical and measures would be difficult to establish, install, or maintain.

Limitations

Preservation of natural vegetation may be impractical in some situations because the vegetation may interfere with or constrict the area within which construction activities take place, or may not be cost effective.

ITD Storm Water Frequently Asked Questions (FAQs)

Q1: How often does the Contractor's designated Water Pollution Control Manager (WPCM) need to attend and pass the written exam of the certified 16-hour WPCM Training Course?

A1: Per the Consent Decree Paragraph 5, the Contractor's designated WPCM is required to become a certified WPCM within the 12 months prior to the beginning of construction. For example, if the attendee was certified on 3/17/08, then the person is certified to serve as a WPCM for any ITD project that starts before 3/17/09. For a project that begins on 3/17/09 or later, the person would have to become re-certified as a WPCM by re-attending an ITD certified 16-hour WPCM course.

Quiz Answers:

1. True. "Diversion" is focused on diverting flows around a project site, "Mitigation" is focused on managing flows that occur on the site, and "Elimination" is focused on managing flows as they leave the site.
2. True (per ITD Specification Section 212.03).
3. Per Paragraph 9 of the Consent Decree, the follow-up Third Party Inspection must occur within 14 days.
4. 5 days (per ITD Specification Section 212.03).

Q2: If we have a Contractor that needs to get a certified WPCM for a project, where and from whom can they receive the WPCM training?

A2: ITD has certified two WPCM courses that meet the requirements of Appendix C of the Consent Decree. The first is offered by the Idaho Associated General Contractors (AGC) and taught by Brown and Caldwell out of Boise and the second is offered by Resource Planning Unlimited out of Lewiston. Both classes are offered throughout the calendar year and at various locations throughout the state. If you have a Contractor needing personnel trained as a WPCM, contact either the AGC or Resource Planning Unlimited for further information.

Q3: How does EPA decide on which projects to conduct formal storm water management compliance inspections?

A3: There are no set guidelines or procedures that EPA uses to decide which sites will receive a storm water compliance inspections. Some sites are chosen because of proximity to a sensitive receiving water body and others chosen because citizens' complaints have been registered. There are also those inspections that occur as a result of an inspector simply driving around their area of responsibility and noticing a project site with poor housekeeping practices, lack of a stabilized construction entrance, or other basic BMPs.